

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT  
BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,  
Debtors.<sup>1</sup>

PROMESA Title III

No. 17-BK-3283-LTS

(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT  
BOARD FOR PUERTO RICO,

as representative of

THE PUERTO RICO ELECTRIC POWER AUTHORITY,  
Debtor.

PROMESA Title III

No. 17-BK-4780-LTS

**JOINT URGENT MOTION OF THE AD HOC GROUP OF PREPA BONDHOLDERS,  
ASSURED GUARANTY CORP., ASSURED GUARANTY MUNICIPAL CORP.,  
SYNCORA GUARANTEE, INC., AND U.S. BANK NATIONAL ASSOCIATION AS  
PREPA BOND TRUSTEE AND THE FINANCIAL OVERSIGHT AND MANAGEMENT  
BOARD FOR PUERTO RICO TO EXTEND CERTAIN CONFIRMATION DEADLINES**

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<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

The Ad Hoc Group of PREPA Bondholders (the “Ad Hoc Group”), U.S. Bank National Association in its capacity as the trustee for PREPA bonds (the “Trustee”), Assured Guaranty Corp. and Assured Guaranty Municipal Corp. (“Assured”), and Syncora Guarantee Inc. (“Syncora,” and together with the Ad Hoc Group, Assured, and the PREPA Bond Trustee, the “Bondholders”), and the Financial Oversight and Management Board for Puerto Rico (“Oversight Board”), as the sole Title III representative of the Puerto Rico Electric Power Authority (“PREPA” or the “Debtor”) pursuant to Section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),<sup>2</sup> respectfully submit this unopposed joint urgent motion (“Joint Urgent Motion”) requesting the entry of an order, substantially in the form annexed hereto as **Exhibit A** (the “Proposed Order”), extending certain confirmation related deadlines.

#### **RELIEF REQUESTED AND BASIS FOR SUCH RELIEF**

1. Under the *Third Amended and Restated Order Establishing, Among Other Things, Procedures and Deadlines Concerning Objections to Confirmation and Discovery in Connection Therewith* [ECF No. 3565] (the “Confirmation Procedures Order”), the parties are required to file finalized witness lists, exhibit lists, and deposition designations by **June 16, 2023**; counter-designations, objections to deposition designations, or objections to exhibit lists by **June 23, 2023**; and objections to counter-designations by **June 30, 2023**. *Id.* at 5.

2. The parties request that the deadlines concerning finalized witness lists, exhibit lists, and deposition designations, as well as counter-designations and objections be extended as follows:

- Witness lists, exhibit lists, and deposition designations (currently due on June 16, 2023): **June 23, 2023**.

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<sup>2</sup> PROMESA is codified at 48 U.S.C. §§ 2101–2241.

- Counter-designations, objections to deposition designations, and objections to exhibit lists (currently due on June 23, 2023): **June 30, 2023**.
- Objections to counter-designations (currently due on June 30, 2023): **July 7, 2023**.

3. Such extensions would not impact any other deadline in this case, including the pretrial conference schedule for July 12, 2023 and the confirmation hearing scheduled to commence on July 17, 2023.

4. The parties have also conferred regarding the contents of and process for exchanging exhibit lists and preparing copies of the exhibits for the Court, and propose the following:

- First, exhibit lists filed on June 23, 2023 shall include only the exhibits that each party intends to seek to pre-admit into evidence.
- Second, by June 30, 2023, the parties must make a good faith effort to identify all exhibits for identification purposes. In addition, any exhibits not previously uploaded to ECF, whether the parties intend to seek preadmission into evidence or to identify solely for identification purposes, shall be filed on or before June 30, 2023, or, if necessary, under seal with the Court according to the Court's Case Management Order and the Confirmation Procedures Order.
- Third, all parties reserve their rights to supplement exhibits as necessary ahead of the Plan Confirmation Hearing, and should a party identify any exhibits (either for purposes of admission or identification) after July 7, 2023, such party will (1) upload such exhibits to ECF (or, if necessary, file under seal) as soon as practicable, and (2) undertake to provide electronic and/or hard copies of such exhibits to the Court in the format requested by the Court.

5. The parties believe that these adjustments to the process for the identification and filing of exhibits will be more efficient for the parties and for the Court.

6. The Oversight Board and Bondholders have requested the position of other parties to this proceeding and no party has expressed opposition. The Ad Hoc Committee of National Claims Assignees joins this Joint Urgent Motion. The Unión de Trabajadores de la Industria Eléctrica y Reigo Inc. (“UTIER”) and the Employees’ Retirement System of Puerto Rico Electric Power Authority (“PREPA ERS” or “SREAEE”) have stated their agreement to the Joint Urgent Motion.

We hereby certify that, on this same date, we electronically filed the foregoing with the clerk of the Court using the CM/ECF system, which will notify the attorneys of record.

Dated: San Juan, Puerto Rico  
June 14, 2023

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as sole Title III representative for PREPA*

## **EXHIBIT A**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT  
BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.<sup>3</sup>

PROMESA Title III

No. 17-BK-3283-LTS

(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT  
BOARD FOR PUERTO RICO,

as representative of

THE PUERTO RICO ELECTRIC POWER AUTHORITY,

Debtor.

PROMESA Title III

No. 17-BK-4780-LTS

**ORDER GRANTING JOINT URGENT MOTION OF THE AD HOC GROUP OF  
PREPA BONDHOLDERS, ASSURED GUARANTY CORP., ASSURED GUARANTY  
MUNICIPAL CORP., SYNCORA GUARANTEE, INC., AND U.S. BANK NATIONAL  
ASSOCIATION AS PREPA BOND TRUSTEE AND THE FINANCIAL OVERSIGHT  
AND MANAGEMENT BOARD FOR PUERTO RICO TO EXTEND OF CERTAIN  
CONFIRMATION DEADLINES**

<sup>3</sup> The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Upon consideration of the *Joint Urgent Motion of the Ad Hoc Group of PREPA Bondholders, Assured Guaranty Corp., Assured Guaranty Municipal Corp., Syncora Guarantee Inc., and U.S. Bank National Associations as PREPA Bond Trustee, and the Financial Oversight and Management Board to Extend Certain Confirmation Deadlines* (Docket Entry No. \_\_\_\_\_ in Case No. 17-bk-3238) (the “Joint Urgent Motion”) and the relief requested and basis for such relief set forth in the Joint Urgent Motion, the Court hereby finds that good and sufficient cause exists for granting of the Bondholders’ requested relief.

Accordingly, it is hereby **ORDERED THAT:**

7. The Joint Urgent Motion is **GRANTED** as set forth herein.
8. The deadline by which all parties must file finalized witness lists, exhibit lists, and depositions designations is hereby extended from June 16, 2023 to **June 23, 2023**.
  - a. The exhibit lists filed on June 23, 2023 shall include only the exhibits that each party intends to seek to pre-admit into evidence.
  - b. By June 30, 2023, the parties must make a good faith effort to identify all exhibits for identification purposes. In addition, any exhibits not previously uploaded to ECF, whether the parties intend to seek preadmission into evidence or to identify solely for identification purposes, shall be filed on or before June 30, 2023, or, if necessary, under seal with the Court according to the Court’s Case Management Order and the Confirmation Procedures Order.
  - c. Any exhibits identified after July 7, 2023 must be provided to the Court by the identifying party in the format requested by the Court.

9. The deadline by which all parties must file counter-designations, objections to deposition designations, or objections to exhibit lists is hereby extended from June 23, 2023 to **June 30, 2023**.
10. The deadline by which all parties must file any objections to counter-designations is hereby extended from June 30, 2023 to **July 7, 2023**.

**SO ORDERED**

Dated: June \_\_\_\_, 2023  
San Juan, Puerto Rico

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HONORABLE LAURA TAYLOR SWAIN  
United States District Judge